

Docket No.: 4684-13



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Kang Ho AHN *et al.*

U.S. Patent Application No. 10/018,244

Filed: December 18, 2001

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:  
: Confirmation No. 8791  
:  
: Group Art Unit: 3752  
:  
: Examiner: R. Evans

For: APPARATUS FOR MANUFACTURING ULTRA-FINE PARTICLES USING  
ELECTROSPRAY DEVICE AND METHOD THEREOF

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GP  
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RESPONSE TO RESTRICTION REQUIREMENT

RECEIVED

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

JAN 07 2004  
TECHNOLOGY CENTER R3700

Sir:

By Official Action mailed *October 23, 2003*, restriction to one of the disclosed species of the claimed invention is required.

In response, Applicants hereby elect *Species I, FIG. 1*, upon which claims 1-3 and 7 are readable. Claims 12-15 are generic.

The election was made with traverse because the Examiner's Restriction Requirement is improper, at least, with respect to claims 4-6.

4 ⇒ fig III  
5-6 figure V

This application is a National Stage of a PCT application, and thus, unity of invention practice is applicable. *See MPEP*, section 1893.03(d). In accordance with the principles of unity of invention, a group of inventions is considered linked to form a single general inventive concept where there is a technical relationship among the inventions that involves at least one common or corresponding special technical feature. Note also examples 1-17 of Annex B, Part 2 of the PCT

Administrative Instructions as amended July 1, 1992 contained in Appendix AI of the MPEP. Note especially example 12, pages AI-69 and 70 of *MPEP*.

In this particular case, unity exists between claims 1-7. The special technical feature common to all claims 1-7 is the features of independent claim 1 from which claims 2-7 depend.

Accordingly, the Restriction Requirement with respect to, at least, claims 4-6 is deemed inappropriate and claims 4-6 should be examined together with elected claims 1-3, 7 and generic claims 12-15. Early examination on the merits is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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